

SENATE BILL 3962

By Finney L

AN ACT relative to authorizing the municipal legislative body of the City of Jackson to designate a docket within the City Court as the environmental docket for that city and to establish certain powers for that court.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The Jackson city council is hereby authorized to designate a docket within the city court that shall function as an environmental court.

SECTION 2. In making such designation, the judge of the city court, who is an elected judge, shall be granted the additional power to issue injunctions, both mandatory and prohibitory, as provided in Rule 65 of the Tennessee Rules of Civil Procedure. This includes the granting of power to the city judge to order any defendant found guilty of violating any city ordinance or state statute related to health, animal control, housing, fire, land subdivision, land use, building or zoning, to correct such violation at the defendant's own expense. In a case involving the alleged violation of any ordinance or statute related to health, animal control, housing, fire, land subdivision, land use, building or zoning, this act includes the granting of power to the city judge to appoint a master to aid the court. Rule 53 of the Tennessee Rules of Civil Procedure shall govern the appointment, power, and duty of the master.

SECTION 3. The city judge may also be granted the power to punish any person for contempt who, having been ordered to correct a violation of an ordinance or statute related to health, animal control, housing, fire, land subdivision, land use, building or zoning, willfully fails to obey such order within the designated day and at the designated time as given by such court order. The punishment for contempt in each such case shall be limited to a monetary penalty not to exceed fifty dollars (\$50.00) and imprisonment not exceeding ten (10) days for each such violation.

SECTION 4. The provisions of this act shall not be construed as extending the jurisdiction already granted and established within the city court including the concurrent general sessions jurisdiction already granted and established within that court.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the city of Jackson. Its approval or nonapproval shall be proclaimed by the presiding officer of the city of Jackson and certified to the secretary of state.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 5.